

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

RICHARD SINGER, :

Plaintiff : **CIVIL ACTION NO. 3:20-965**

v. : **(JUDGE MANNION)**

SOUTHWEST CREDIT SYSTEMS, :

L.P., :

Defendant

ORDER

On December 9, 2020, the court granted Attorney Brent F. Vullings' unopposed motion to withdraw as plaintiff's counsel in this case. (Docs. 23 & 24). Also, on December 9, 2020, Vullings filed a motion seeking the court to impose an attorney's lien against any award, judgment, or settlement received by the plaintiff in this case. (Doc. 25). In his attached affidavit, Vullings avers that the Vullings Law Group, LLC, which previously represented the plaintiff and initiated this lawsuit on June 15, 2020, is owed unpaid attorney's fees and unreimbursed expenses in the total amount of \$11,075.00 based on his firm's representation of plaintiff in this case. Vullings' Affidavit substantiates the lien amount. As such, Vullings requests the court to impose an attorney's lien in the amount of \$11,075.00 in favor of

his firm, pursuant to the Judicial Improvements Act of 1990, 28 U.S.C. §1367(a), and that the court direct that all remaining defendants apply any and all settlements, judgments and any other compensation in relation to this matter toward satisfying this lien prior to making any such payments to plaintiff.

After Vullings filed his motion, a stipulation was entered on February 18, 2021, between plaintiff and defendant Experian Information Solutions, Inc., pursuant to Fed.R.Civ.P. 41(a)(1)(ii), in which they stipulated that all claims in this action against Experian were dismissed with prejudice. (Doc. 26). On February 19, 2021, the court issued an Order approving of the stipulation between plaintiff and Experian, and dismissed Experian as a defendant. (Doc. 27).

To date, neither plaintiff nor the two defendants who remained in this case when the motion was filed, (plaintiff had previously settled with defendant Equifax Information Services, LLC), have filed a brief in opposition to Vullings' motion. The time period in which opposition briefs were due has expired.

The court will grant Vullings' unopposed motion for attorney's lien. See Walker v. PA Dept. of Corrections, 828 Fed.Appx. 118 (3d Cir. 2020) (Since the District Court had jurisdiction over the underlying [plaintiff's] litigation

under 28 U.S.C. §§1331 and 1367”, “the District Court also had ancillary jurisdiction to resolve [plaintiff’s co-counsel’s] entitlement to attorneys’ fees.”). See *also* U.S. v. Polishan, 19 F.Supp.2d 327, 329 (M.D. Pa. 1998) (“Under the Judicial Improvement Act of 1990, Congress combined the common law concepts of pendent jurisdiction and ancillary jurisdiction under the rubric of supplemental jurisdiction. 28 U.S.C. §1367.”). In this case, the court has original jurisdiction over plaintiff’s claims under the Fair Debt Collection Practices Act (“FDCPA”), under 15 U.S.C. §1692, *et seq.*, and the Fair Credit Reporting Act (“FCRA”), 15 U.S.C. §1681, regarding the defendants’ collection activities of a consumer debt. Plaintiff also asserted the court had supplemental jurisdiction under 28 U.S.C. §1367 over his state law defamation claim. (Doc. 1).

Accordingly, **IT IS HEREBY ORDERED that:**

1. Vullings’ unopposed Motion for Attorney’s Lien, (**Doc. 25**), is **GRANTED**.
2. An attorney’s lien in the amount of \$11,075.00 is imposed in favor of Vullings Law Group, LLC, against any award, judgment, or settlement received by the plaintiff, Richard Singer, after the date of this Order.

3. Any defendant which is going to make a payment to the plaintiff after the date of this Order shall apply any settlements, judgments and any other compensation in relation to this matter toward satisfying Vullings' lien prior to making any such payments to the plaintiff.

s/Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

DATED: February 22, 2021

20-965-06